

**FILED**

APR - 9 2008

**E-filing**

**U.S. Bankruptcy Appellate Panel  
of the Ninth Circuit**

**RICHARD W. WIEKING**  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

125 South Grand Avenue, Pasadena, California 91105  
Appeals from Central California (626) 229-7220  
Appeals from all other Districts (626) 229-7225

**In Re: SANDRA DeOCAMPO**

**BAP No.: NC-08-1065**

**Bk. Ct. No.: 07-31475 DM**

**ADV. NO.:**

**PJH**

**NOTICE OF TRANSFER OF APPEAL TO DISTRICT COURT**

A party to the appeal has timely filed an objection to the disposition of this matter by the Bankruptcy Appellate Panel. See 28 USC Section 158. Consequently, this appeal is herewith transferred to San Francisco District Court. **(See attached document)**

Please acknowledge receipt of the case file listed above by signing and returning a copy of this transmittal form.

Harold S. Marenus, BAP Clerk

By: Freddie Brown, Deputy Clerk

Date: April 2, 2008

Please acknowledge receipt of  
the case file listed above.

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_  
District Court Deputy

Assigned District Court No.

\_\_\_\_\_  
cc: Bankruptcy Court  
All Parties

**BANKRUPTCY APPELLATE PANEL  
OF THE NINTH CIRCUIT**

125 South Grand Avenue  
Pasadena, California 91105

Harold S. Marenus  
Clerk of Court

(626) 229-7232  
Fax: 229-7475

April 2, 2008

**VIA MAIL**

Clerk of Court  
U.S. District Court for the Northern District of California  
450 Golden Gate Ave.  
San Francisco, CA 94102

Re: De Ocampo v. United States Trustee (Bankruptcy. No. 07-31475, BAP No. NC-08-1056)

Dear Clerk of Court:

Enclosed is an appeal we are transferring to your court because the appellee filed a timely election to have this appeal heard by the district court. Also enclosed is our standard form order transferring the appeal pursuant to appellee's election.

What makes this appeal a little different from the numerous other bankruptcy appeals we have transferred over the years is that the we have already issued an order denying the appellant's motion for transfer or, in the alternative, stay pending appeal. Our order was entered on March 11, 2008. At the time we entered the order denying appellant's motion for transfer / stay, we were not aware the appellee had filed a timely election to district court.<sup>1</sup> The election provisions of 28 U.S.C. § 158(c) are mandatory and jurisdictional in nature. Simply put, appellee's election is valid and binding regardless of

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<sup>1</sup>The appellee's election was filed on March 6, 2008, in the bankruptcy court and not with the BAP and we did not know of the election until after the issuance of our March 11, 2008, order.

how the Panel ruled on appellant's transfer motion.

If you have any questions about this particular appeal or election procedure in general, please don't hesitate to call.

Very Truly Yours,

/s/

Harold S. Marenus  
BAP Clerk of Court

enc.

1 Albert M. Kun, Esq. (SBN 55820)  
2 381 Bush Street, Suite 200  
3 San Francisco, CA 94104  
4 Telephone: (415) 362-4000  
5 Facsimile: (415) 362-1305

RECEIVED  
Harold S. Maranus, Clerk  
U.S. BKCY APP PANEL  
OF THE NINTH CIRCUIT

FEB 28 2008

FILED \_\_\_\_\_  
DOCKETED \_\_\_\_\_  
DATE INITIAL

6 Attorney for Debtor Appellant,  
7 Sandra de Ocampo

8 UNITED STATES BANKRUPTCY COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

13 IN RE ) Case No. 07-31475 DM 11  
14 ) Chapter 11  
15 SANDRA DE OCAMPO, )  
16 ) Debtor. )

17 NOTICE OF APPEAL

18 TO ACTING UNITED STATES TRUSTEE, SARA L. KISTLER:

19  
20 NOTICE IS HEREBY GIVEN that Debtor, Sandra DeOcampo, hereby appeals to the United  
21 States District Court, Northern District of California, the Order Approving Appointment of  
22 Chapter 11 trustee entered herein on February 19, 2008 pursuant to 28 USC 158(c)(1).  
23

24 Dated: February 21, 2008

25 \_\_\_\_\_/s/  
26 Albert M. Kun  
27 Attorney for Appellant  
28

**COURT SERVICE LIST**

**Debtor**

Sandra DeOcampo  
2101 Shoreline Dr. #470  
Alameda, CA 94501

Michael C. Fallon, Esq.  
100 E. Street, Suite 219  
Santa Rosa, CA 95404

**U.S. Trustee**

Julie M. Glosson  
Office of the U.S. Trustee  
235 Pine Street, Suite 700  
San Francisco, CA 94104

**All Creditors on Matrix**

Entered on Docket  
February 19, 2008  
GLORIA L. FRANKLIN, CLERK  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA



Signed and Filed: February 19, 2008

*Dennis Montali*

DENNIS MONTALI  
U.S. Bankruptcy Judge

DONNA S. TAMANAHA, Assistant U.S. Trustee (WI#1013199)  
JULIE M. GLOSSON, Trial Attorney (#230709)  
U.S. Department of Justice  
Office of the United States Trustee  
235 Pine Street, Suite 700  
San Francisco, CA 94104  
Telephone: (415) 705-3333  
Facsimile: (415) 705-3379  
email: julie.m.glosson@usdoj.gov

Attorneys for Acting United States Trustee  
Sara L. Kistler

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re	)	No. 07-31475 DM 11
	)	
	)	Chapter 11
SANDRA DEOCAMPO,	)	
	)	
Debtor.	)	
	)	
	)	

**ORDER APPROVING APPOINTMENT OF CHAPTER 11 TRUSTEE**

Upon the application of the Acting United States Trustee for Region 17, and it appearing that Janina M. Elder, a disinterested person as set forth in 11 U.S.C. § 101(14), has been appointed by the Acting United States Trustee in this chapter 11 case, and after due deliberation and sufficient cause appearing,

**IT IS HEREBY ORDERED** that the appointment of Janina M. Elder as Chapter 11 Trustee in this case is approved under 11 U.S.C. § 1104.

**IT IS FURTHER ORDERED** that the chapter 11 Trustee shall have all the powers of a chapter 11 trustee under 11 U.S.C. § 1106(a).

\* \* \* END OF ORDER \* \* \*

COURT SERVICE LIST

Debtor

Sandra DeOcampo  
2101 Shoreline Dr. #470  
Alameda, CA 94501

Debtor's Counsel

Albert M. Kun  
Law Offices of Albert M. Kun  
381 Bush St. #200  
San Francisco, CA 94104

U.S. Trustee

Julie M. Glosson  
Office of the U.S. Trustee  
235 Pine Street, Suite 700  
San Francisco, CA 94104

All Creditors on Matrix

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OFFICE OF THE CLERK  
235 Pine Street  
San Francisco, CA 94104  
Mailing Address:  
P.O. Box 7341  
San Francisco, CA 94120-7341

**FILED**

FEB 25 2008

UNITED STATES BANKRUPTCY COURT  
SAN FRANCISCO, CA

RECEIVED  
Harold S. Marenus, Clerk  
U.S. BKCY APP. PANEL  
OF THE NINTH CIRCUIT

FEB 28 2008

TRANSMITTAL FORM

FILED \_\_\_\_\_  
DOCKETED \_\_\_\_\_  
DATE \_\_\_\_\_ INITIAL \_\_\_\_\_

TO: Bankruptcy Appellate Panel of the Ninth Circuit, 125 S. Grand Avenue, Pasadena, CA, 91105

BAP# NC-08-1065

CASE NAME: Sandra DeOcampo

BANKRUPTCY NO.: 07-31475

BANKRUPTCY JUDGE: Dennis Montali


DATE NOTICE OF APPEAL FILED: 2/22/2008

DATE OF ENTRY OF ISSUE: 2/19/2008

DATE BANKRUPTCY FILED: 10/1/2007

NOTICE OF OBJECTION FILED:

DATE OF TRANSMITTAL: 2/25/2008

 Cooper Glosenger  
Deputy Clerk

①

Gos



UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO

**FILED**  
FEB 25 2008  
UNITED STATES BANKRUPTCY COURT  
SAN FRANCISCO, CA

re:

Case no.: 07-31475 DM11

SANDRA DeOCAMPO

Chapter 11

Debtor(s) /

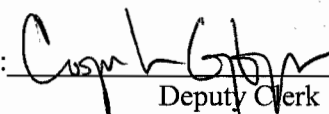
**NOTICE OF REFERRAL OF APPEAL TO BANKRUPTCY APPELLATE PANEL**

TO ALL PARTIES:

YOU AND EACH OF YOU are hereby notified that the enclosed notice of appeal has been filed by with the Clerk of the Bankruptcy Court. By virtue of the orders of the Judicial Council of the Ninth Circuit and the District Court for this district, the above appeal has been referred to the United States Bankruptcy Appellate Panel of the Ninth Circuit (BAP).

Dated: February 25, 2008

Gloria L. Franklin, Clerk  
United States Bankruptcy Court

By:  **Cooper Glosenger**  
Deputy Clerk

COURT CERTIFICATE OF MAILING

I, the undersigned, a regularly appointed clerk of the United States Bankruptcy Court for the Northern District of California, at San Francisco, hereby certify:

That I, in the performance of my duties as such clerk, served a copy of the foregoing document by depositing it in the regular United States mail at San Francisco, California on the date shown below, in a sealed envelope bearing the lawful frank of the Bankruptcy Judge, addressed as listed below.

Bankruptcy Appellate Panel of  
the Ninth Circuit  
125 S. Grand Avenue  
Pasadena, CA 91105

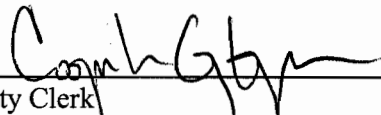
Michael C. Fallon  
Law Offices of Michael C.  
Fallon  
100 E St. #219  
Santa Rosa, CA 95404

Janina M. Elder  
P.O. Box 158  
Middletown, CA 95461

Office of the U.S. Trustee / SF  
235 Pine Street  
Suite 700  
San Francisco, CA 94104

SEE ATTACHED SERVICE LIST

DATED: 2/25/08

  
Deputy Clerk

Label Matrix for local noticing

IRS  
P.O. Box 21126  
Philadelphia, PA 19114

A&E Electrical Co.  
751 Laurel Street #719  
San Carlos, CA 94070-3113

A&J Plastering  
409 North 21st St.  
San Jose, CA 95112-1748

AG Drywall  
437 Stege Ave.  
Richmond, CA 94804-3159

Adanac Fire Protection  
400 Reed Street  
Santa Clara, CA 95050-3110

Aguilar & Sons  
1116 Bernal Ave.  
Burlingame, CA 94010-5617

Alan Kropp & Associates  
2140 Shattuck Ave. #810  
Berkeley, CA 94704-1229

Architectural Trim & Custom Cabinet  
5498 Gateway Plaza Dr.  
Benicia, CA 94510-2122

BKF Engineers  
540 Price Ave.  
Redwood City, CA 94063-1411

Bank of America  
Equity Maximizer  
P.O. Box 30750  
Los Angeles, CA 90030-0750

Bank of America, N.A.  
PO Box 26012  
NC4-105-03-14  
Greensboro, NC 27420-6012

Bay Area Construction Framers, Inc.  
Joseph E. Powell  
582 Market Street, Suite 2001  
San Francisco, CA 94104-5321

Brothers' Custom Windows and Doors  
360 Industrial Road, Unit #C  
San Carlos, CA 94070-6287

Lawrence J. Buckley  
Brice, Vander, Linden and Wernick  
9441 LBJ Freeway #350  
Dallas, TX 75243-4545

CA Employment Development Dept.  
Bankruptcy Group MIC 92E  
P.O. Box 826880  
Sacramento, CA 94280-0001

CA Franchise Tax Board  
Special Procedures Bankruptcy Unit  
P.O. Box 2952  
Sacramento, CA 95812-2952

Chief Tax Collection Section  
Employment Development Section  
P.O. Box 826203  
Sacramento, CA 94230

William S. Choy  
Law Offices of William S. Choy  
475 Sansome St. #1700  
San Francisco, CA 94111-3147

City and County of San Francisco  
Tax Collector's Office  
Bureau of Delinquent Revenue  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4603

Coast Building Products  
P.O. Box 815  
West Sacramento, CA 95691-0815

Core Concrete Construction Inc.  
4026 Blackthorn Dr.  
Vacaville, CA 95688-9544

Robert R. Cross  
Law Offices of Sideman and Bancroft  
1 Embarcadero Center 8th Fl.  
San Francisco, CA 94111-3607

Damec Pre-Cast  
988 Faris Dr.  
San Jose, CA 95111-1517

Sandra DeOcampo  
2101 Shoreline Dr. #470  
Alameda, CA 94501-6250

Double D Engineering  
67 Haight St.  
San Francisco, CA 94102-5801

Janina M. Elder  
P.O. Box 158  
Middletown, CA 95461-0158

Michael C. Fallon  
Law Offices of Michael C. Fallon  
100 E St. #219  
Santa Rosa, CA 95404-4606

First Horizon Home Loan Corporation  
c/o Aron M. Oliner  
Duane Morris LLP  
One Market Plaza  
Spear Street Tower, Suite 2000  
San Francisco, CA 94105-1101

First Horizon Home Loans  
4000 Horizon Way  
Irving, TX 75063-2260

First Horizon Home Loans  
c/o Aron M. Oliner  
Duane Morris LLP  
1 Market, Spear Tower, Suite 2000  
San Francisco, CA 94105-1104

Galli Builders Inc.  
778 El Camino Real  
San Carlos, CA 94070-3106

Julie M. Glosson  
Office of the United States Trustee  
235 Pine St. #800  
San Francisco, CA 94104-2736

Gregory C. Plaskett  
111 W.C. Street, Suite B  
Benicia, CA 94510-3163

Maureen A. Harrington  
McGrane Greenfield  
1 Ferry Bldg. #220  
San Francisco, CA 94111-4213

(p) INTERNAL REVENUE SERVICE  
CENTRALIZED INSOLVENCY OPERATIONS  
PO BOX 21126  
PHILADELPHIA PA 19114-0326

John S. Perkins, Esq.  
75 E. Santa Clara Avenue, #1400  
San Jose, CA 95113-1839

Joseph Powell, Esq.  
582 Market Street, Ste. #2001  
San Francisco, CA 94104-5321

Albert M. Kun  
Law Offices of Albert M. Kun  
381 Bush St. #200  
San Francisco, CA 94104-2809

Legacy Roofing & Waterproofing  
1698 Rogers Ave., #10  
San Jose, CA 95112-1130

Legacy Roofing & Waterproofing Inc.  
Acuna & Casas, P.C.  
1460 Maria Lane, Suite 200  
Walnut Creek, CA 94596-8854

MAC dba Division 7  
48 Digital Drive, Suite 2  
Novato, CA 94949

MAC dba Division 7  
Division 7  
46 Digital Dr., Suite 2  
Novato, CA 94949-5761

William G. Malcolm  
Law Offices of Malcolm and Cisneros  
2112 Business Center Dr. 2nd Fl.  
Irvine, CA 92612-7135

Maureen Harrington, Esq.  
McGrane Greenfield LLP  
One Ferry Building, Ste. 220  
San Francisco, CA 94111-4213

Michael Acabado  
447 Sutter Street #803  
San Francisco, CA 94108-4622

Nancy E. Cooke  
Attorney at Law  
P.O. Box 378  
Sonoma, CA 95476-0378

Nancy E. Cooke, Esq.  
c/o Charles Harris  
809 Broadway, Suite 3  
Sonoma, CA 95476-7042

O' Dowd Plumbing  
P.O. Box 875  
San Bruno, CA 94066-0875

O' Keefe's  
325 Newhall Street  
San Francisco, CA 94124-1432

Office of the U.S. Trustee / SF  
Office of the U.S. Trustee  
235 Pine Street  
Suite 700  
San Francisco, CA 94104-2736

Aron M. Oliner  
Law Offices of Duane Morris  
1 Market Spear Tower #2000  
San Francisco, CA 94105-3104

Sideman & Bancroft LLP  
One Embarcadero Center 8th Fl  
c/o Robert R. Cross  
San Francisco, CA 94111-3607

Sideman and Bancroft LLP  
Robert R. Cross, Esq.  
One Embarcadero Center, 8th Fl.  
San Francisco, CA 94111-3607

Terrance J. Evans  
Duane Morris LLP  
One Market, Spear Tower  
Suite 2000  
San Francisco, CA 94105-1104

U.S. Attorney  
Civil Division  
450 Golden Gate Ave.  
San Francisco, CA 94102-3661

Warm Corporation  
908A Enterprise Way  
Napa, CA 94558-6232

Warm Corporation West  
908A Enterprise Way  
Napa, CA 94558-6232

Washington Mutual  
P.O. Box 78148  
Phoenix, AZ 85062-8148

Washington Mutual Bank  
P O Box 44090  
Jacksonville, FL 32231-4090

Washington Mutual Bank  
PO Box 44090  
Jacksonville, Florida 32231-4090

U.S. Bankruptcy Appellate Panel  
of the Ninth Circuit  
125 South Grand Avenue, Pasadena, California 91105  
Appeals from Central California (626) 229-7220  
Appeals from all other Districts (626) 229-7225

RE: SANDRA DeOCAMPO

Appellant: SANDRA DeOCAMPO

BAP No: NC-08-1065

BK. NO: 07-31475 DM

#### OPENING LETTER

Notice of Appeal in this case has been received by the Bankruptcy Appellate Panel (BAP) and assigned the case number above. All papers filed with the BAP should be in the form of an original and three copies.

The BAP docket and other court information is available through the National PACER system. <http://pacer.bap09.uscourts.gov>

Enclosed are the 9th Cir. BAP Rules governing practice before the BAP. Appeals are also governed by Parts VIII and IX of the Federal Rules of Bankruptcy Procedure (F.R.B.P.), and some parts of the Federal Rules of Appellate Procedure (F.R.A.P.) and the local rules of the Ninth Circuit (Circuit Rules). See 9th Cir. BAP Rule 8018(b)-1.

Pursuant to 9th Cir. BAP Rule 8001(a)-1, please immediately send the BAP Clerk a copy of the signed and entered order or judgment being appealed if it was not attached to your notice of appeal.

After a Notice of Appeal has been filed, the parties' next step in prosecuting this appeal is compliance with F.R.B.P. 8006 and 8007, which require Appellant to file within 10 days in the bankruptcy court a designation of record, statement of issues on appeal, and a notice regarding the ordering of transcripts. Under these rules Appellee may also file a supplemental designation of record and order transcripts. The party ordering the transcripts must make satisfactory arrangements for payment of their costs.

Even if transcripts are not ordered, Appellant is required to file with the bankruptcy court a notice stating that none are required. See also 9th Cir. BAP R. 8006-1.

The parties should note that the designation of record under F.R.B.P. 8006 is a necessary procedural step in prosecuting an appeal and the parties may not later include in their excerpts of the record documents which have not been designated.



The record and bankruptcy file remain with the Clerk of the bankruptcy court and the Panel reviews only those items which are reproduced and included in the excerpts of the record filed at the time of the briefs. While the Panel may call up the formal record, in practice this rarely occurs.

Further, it is the parties' responsibility to monitor the appeal to ensure that transcripts are timely filed and the record is completed in a timely manner. Under F.R.B.P. 8007(a), the court reporter is required to file transcripts within 30 days of receipt of the parties' request, unless an extension has been granted.

After the record is complete, the Clerk of the bankruptcy court will send a Certificate of Record, sometimes referred to as a Certificate of Readiness or Certificate of Transcripts, to the BAP Clerk. This triggers the issuance of the briefing schedule by the BAP Clerk. The briefing schedule contains time deadlines and instructions regarding filing of briefs. However, the parties should be aware that the time periods set forth in the briefing schedule are relatively short and extensions of time greater than 15 days are generally granted only based on a showing of good cause. See F.R.B.P. 8009 and 9th Cir. BAP R. 8009(a)-1.

Appeals are set for hearing in the bankruptcy district from which the appeal arose whenever feasible. To expedite the appeal or if the parties feel argument is unnecessary, they may file a stipulation or motion to submit their appeal on the briefs and record, thereby waiving oral argument. The Panel will also consider stipulations requesting an alternative hearing location or hearing by telephone conference. Such motions should be filed at the earliest possible date, generally with the opening brief, as once a case has been scheduled for argument, continuance and request to change time and place are rarely granted.

#### CERTIFICATE OF MAILING

-----  
The undersigned, deputy clerk of the U.S. Bankruptcy Appellate Panel of the Ninth Circuit, hereby certifies that a copy of the document on which this certificate appears was transmitted this date to all parties of record to this appeal.

By: Freddie Brown

Deputy Clerk: February 28, 2008

**CERTIFICATE OF MAILING**

The undersigned deputy clerk of the U.S. Bankruptcy Appellate Panel of the Ninth Circuit Hereby certifies that a copy of the document to which this certificate is attached was mailed this date to all parties of record to this appeal, to the United States Trustee and the Clerk of the Bankruptcy Court.

By: Freddie Brown

Date: February 28, 2008

Proceedings include all events.  
08-1065 De Ocampo v.

In re: SANDRA DE OCAMPO  
Debtor

-----

SANDRA DE OCAMPO  
Appellant

Albert M. Kun, Esq.  
(415) 362-4000  
[COR LD NTC ret]  
381 Bush Street  
Ste. 200  
San Francisco, CA 94104



U.S. Bankruptcy Appellate Panel  
of the Ninth Circuit

125 South Grand Avenue, Pasadena, California 91105  
Appeals from Central California (626) 229-7220  
Appeals from all other Districts (626) 229-7225

In Re: DeOCAMPO

BAP No.: NC-08-1065

Bankruptcy No(s): 07-31475 DM

NOTICE OF DEFICIENT NOTICE OF APPEAL

Notice of appeal in this case has been received by the Bankruptcy Appellate Panel and assigned the case number appearing above.

The notice of appeal is deficient in that it does not comply with Federal Rule of Bankruptcy Procedure 8001(a), which requires the notice of appeal to "contain the names of all parties to the judgment, order, or decree appealed from and the names, addresses and telephone numbers of their respective attorneys...."

Please immediately comply with this rule by filing this information with the BAP Clerk.

Harold S. Marenus, BAP Clerk

By: Freddie Brown  
Deputy Clerk

Date: February 28, 2008

## PARTY INFORMATION

Party Information

Respective Attorney Information

Debtor(s) Name :

Attorney Name :

Appellant(s) Name :  
Pro Per [ ]

Attorney Name :

Appellee(s) Name :  
Pro Per [ ]

Attorney Name :

**EMERGENCY MOTION**

**IN THE NINTH CIRCUIT BANKRUPTCY**

**APPELLATE PANEL**

RECEIVED  
Harold S. Meranus, Clerk  
U.S. BKCY APP PANEL  
OF THE NINTH CIRCUIT

MAR - 4 2008

FILED \_\_\_\_\_  
DOCKETED 3/4 FB  
DATE INITIAL

IN RE	)	No. Unknown
	)	
SANDRA DE OCAMPO,	)	Bankruptcy No. 07-31475 DM 11
	)	Chapter 11
Debtor.	)	Northern District of California
	)	San Francisco Division
	)	

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**APPELLANT'S APPLICATION TO TRANSFER CASE  
OR IN THE ALTERNATIVE, ISSUE STAY PENDING APPEAL**

---

Albert M. Kun, Esq., SBN 55820  
381 Bush Street, Suite 200  
San Francisco, CA 94104  
Telephone: (415) 362-4000  
Facsimile: (415) 362-1305

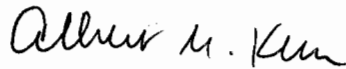
Attorney for Appellant,  
SANDRA DEOCAMPO

Appellant, Sandra DeOcampo has filed her:

1. Notice of Appeal (Exhibit "A").
2. Election to have appeal heard by district court (Exhibit "B").
3. The Bankruptcy Court referred the matter to the Bankruptcy Appellate panel (Exhibit "C").
4. Appellant seeks review of the Order Appointing Chapter 11 Trustee (Exhibit "D").
5. Appellant Notified Respondent that the filed order is deficient in that it fails to set forth the Bankruptcy Court findings, ground for granting the order and the rulings on evidentiary matters. Respondent initially agreed to make the changes but later refused (Exhibit "E").
6. The transcript of the hearing is expected to be completed shortly.
7. Appellant respectfully requests this court to either retransfer the matter to the United States District Court or, Northern District of California, San Francisco Division or issue a stay pending filing of the transcripts and/or completion of appeal.

March 3, 2008

Respectfully submitted,



---

Albert M. Kun  
Attorney for Appellant,  
Sandra DeOcampo

Albert M. Kun, Esq. (SBN 55820)  
381 Bush Street, Suite 200  
San Francisco, CA 94104  
Telephone: (415) 362-4000  
Facsimile: (415) 362-1305

Attorney for Appellant,  
Sandra De Ocampo

**IN THE NINTH CIRCUIT BANKRUPTCY**

**APPELLATE PANEL**

IN RE	)	Case No. 07-31475 DM 11
	)	
SANDRA DE OCAMPO	)	
	)	
Debtor.	)	
	)	
	)	
	)	
	)	

---

MEMORANDUM OF POINTS AND AUTHORITIES

A COURT ORDER SHOULD REPRESENT THE EXACT ORDER OF THE COURT

A court order should represent exactly what the court has stated. It should not be a summary of the court's views.

This Court's views regarding orders are set forth in In re Costas 9<sup>th</sup> Cir. BAP 2006 346 BR 198. At Footnote 3 the court sets forth the policy.

The Central District LBR has a policy regarding objection to order CD CA LBR 9021-1(a)(4).

The Northern District of California Local Rule 9021-1(c) states:

Submission of Order

(c) After Hearings. "If an order is not submitted to the Judge at the conclusion of the hearing, the prevailing party, or such other party ordered to do so by the Judge hearing the motion, shall submit a proposed order to the Judge promptly thereafter. The order shall contain the signatures of any other counsel who appeared at the hearing, approving it as to form, or shall be accompanied by a certificate of service evidencing service of the proposed order on all such counsel. Orders not approved as to form will ordinarily be lodged for 7 days after service."

The failure by the drafter of the instant order to show the findings and conclusions by the court is especially pertinent in this case because the appointment of a Chapter 11 trustee is a discretionary matter. The order also fails to show service on Maureen Harrington, Esq. and Aron Oliner, Esq. who were also present.

A bankruptcy court necessarily abuses its discretion if it bases its decision on an erroneous view of the law or clearly erroneous factual findings. Cooter & Gell v. Hartmarx Corp. 496 U.S. 384, 405, 110 S.Ct. 2447, 110 L Ed 2d 359 (1990).

CONCLUSION

For all the above reasons, appellant, Sandra DeOcampo, requests this court to either transfer this case to the United States District Court, Northern District of California, or in the alternative, issue an immediate stay pending receipt of the transcript and briefing of the appeal.

March 3, 2008

Respectfully submitted,



---

Albert M. Kun  
Attorney for Appellant  
Sandra DeOcampo

Court Service ListU.S. Trustee

Julie M. Glosson  
Office of the U.S. Trustee  
235 Pine St., Suite 700  
San Francisco, CA 94104

Michael C. Fallon, Esq.  
100 E Street, Suite 219  
Santa Rosa, CA 95404

Sandra DeOcampo  
2101 Shoreline Drive, #470  
Alameda, CA 94501

1 Albert M. Kun, Esq. (SBN 55820)  
2 381 Bush Street, Suite 200  
3 San Francisco, CA 94104  
4 Telephone: (415) 362-4000  
5 Facsimile: (415) 362-1305

6 Attorney for Debtor Appellant,  
7 Sandra de Ocampo

8 **UNITED STATES BANKRUPTCY COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**

11  
12  
13 IN RE ) Case No. 07-31475 DM 11  
14 SANDRA DE OCAMPO, ) Chapter 11  
15 Debtor. )  
16 )

17 **NOTICE OF APPEAL**

18 TO ACTING UNITED STATES TRUSTEE, SARA L. KISTLER:

19  
20 NOTICE IS HEREBY GIVEN that Debtor, Sandra DeOcampo, hereby appeals to the United  
21 States District Court, Northern District of California, the Order Approving Appointment of  
22 Chapter 11 trustee entered herein on February 19, 2008 pursuant to 28 USC 158(c)(1).  
23

24  
25 Dated: February 21, 2008

26 /s/  
Albert M. Kun  
Attorney for Appellant

27  
28 EXHIBIT "A"



1 Albert M. Kun, Esq. (SBN 55820)  
2 381 Bush Street, Suite 200  
3 San Francisco, CA 94104  
4 Telephone: (415) 362-4000  
5 Facsimile: (415) 362-1305

6 Attorney for Debtor Appellant,  
7 Sandra de Ocampo

8 **UNITED STATES BANKRUPTCY COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**

11  
12  
13 IN RE ) Case No. 07-31475 DM 11  
14 SANDRA DE OCAMPO, ) Chapter 11  
15 Debtor. )  
16 )

17  
18 **STATEMENT OF ELECTION TO PROCEED IN UNITED STATES DISTRICT COURT**

19 APPELLANT, SANDRA DEOCAMPO, elects to proceed with her appeal in the United  
20 States District Court, Northern District of California, pursuant to 28 USC 158(c)(1) and Rule  
21 8001(e) of the Federal Rules of Bankruptcy Procedure.  
22

23  
24 Dated: February 26, 2008

25 Albert M. Kun  
26 Attorney for Appellant  
27  
28

EXHIBIT "B"

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO

**FILED**

FEB 25 2008

UNITED STATES BANKRUPTCY COURT  
SAN FRANCISCO, CA

re:

Case no.: 07-31475 DM11

SANDRA DeOCAMPO

Chapter 11

Debtor(s) /

**NOTICE OF REFERRAL OF APPEAL TO BANKRUPTCY APPELLATE PANEL**

TO ALL PARTIES:

YOU AND EACH OF YOU are hereby notified that the enclosed notice of appeal has been filed by with the Clerk of the Bankruptcy Court. By virtue of the orders of the Judicial Council of the Ninth Circuit and the District Court for this district, the above appeal has been referred to the United States Bankruptcy Appellate Panel of the Ninth Circuit (BAP).

Dated: February 25, 2008

Gloria L. Franklin, Clerk  
United States Bankruptcy Court

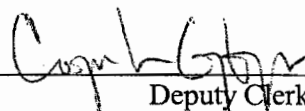
By:  **Cooper Glosenger**  
Deputy Clerk

EXHIBIT "C"

1  
2  
3  
4  
5  
6 DONNA S. TAMANAHA, Assistant U.S. Trustee (WI#1013199)  
7 JULIE M. GLOSSON, Trial Attorney (#230709)  
8 U.S. Department of Justice  
9 Office of the United States Trustee  
10 235 Pine Street, Suite 700  
11 San Francisco, CA 94104  
12 Telephone: (415) 705-3333  
13 Facsimile: (415) 705-3379  
14 email: julie.m.glosson@usdoj.gov

15 Attorneys for Acting United States Trustee  
16 SARA L. KISTLER

17  
18 **UNITED STATES BANKRUPTCY COURT**  
19 **NORTHERN DISTRICT OF CALIFORNIA**

20 In re ) No. 07-31475 DM 11  
21 SANDRA DEOCAMPO, )  
22 ) Chapter 11  
23 Debtor. )  
24 \_\_\_\_\_ )

25 **ORDER APPOINTING CHAPTER 11 TRUSTEE**

26 The U.S. Trustee's Motion to Appoint Chapter 11 Trustee under 11 U.S.C. § 1104 came on for  
27 hearing on regular time on February 15, 2008 at 10:00 a.m before the Honorable Dennis Montali. Julie  
28 M. Glosson appeared for the U.S. Trustee, Albert Kun appeared for Debtor, Maureen Harrington for  
secured creditor Galli Builders, and Geoffrey Heaton for First Horizon Home Loans.

**IT IS HEREBY ORDERED**, for the reasons stated on the record, the U.S. Trustee's Motion is  
granted in its entirety, and the U.S. Trustee is directed to appoint a chapter 11 trustee in the above  
captioned case.

**IT IS FURTHER ORDERED**, Debtor, through counsel, made an oral motion for a 20 day stay  
of this Order, and for the reasons stated on the record, is hereby denied.

\*\*\*END OF ORDER\*\*\*

ORDER APPOINTING CHAPTER 11 TRUSTEE

- 1 -

EXHIBIT "D"

COURT SERVICE LISTDebtor

Sandra DeOcampo  
2101 Shoreline Dr. #470  
Alameda, CA 94501

Debtor's Counsel

Albert M. Kun  
Law Offices of Albert M. Kun  
381 Bush St. #200  
San Francisco, CA 94104

U.S. Trustee

Office of the U.S. Trustee  
Julie M. Glosson  
235 Pine Street, Suite 700  
San Francisco, CA 94104

All Creditors on Matrix



Windows Live

## DeOcampo order

From: **Glosson, Julie M.** (Julie.M.Glosson@usdoj.gov)

Sent: Wed 2/20/08 9:16 AM

To: Albert Kun (albert\_kun@hotmail.com)

Cc: To, Ankey (Ankey.To@usdoj.gov)

Mr. Kun,

Although I sent you the revised order, I still believe that the order currently on the docket is consistent with the court's ruling. The words "motion granted in its entirety" reflects the fact that the relief was not limited in any way. The reason or basis for the motion - granted under 1104(a)(2) - was stated by the court in its ruling and is reflected as such in the recording.

The order as signed reflects that the relief requested was not limited to anything less than a chapter 11 trustee with full powers and "for the reasons stated on the record" will reflect that the basis of the Court's ruling was 1104(a)(2).

I don't see a need to revise the order. Please call me so that we may discuss this.

Thanks.

Julie M. Glosson  
Attorney for the U.S. Trustee  
235 Pine Street, Suite 700  
San Francisco, CA 94104  
(415) 705-3333  
(415) 705-3379 (fax)

EXHIBIT 'E'

U.S. Bankruptcy Appellate Panel  
of the Ninth Circuit  
125 South Grand Avenue, Pasadena, California 91105  
Appeals from Central California (626) 229-7220  
Appeals from all other Districts (626) 229-7225

RECEIVED  
Harold S. Marenus, Clerk  
U.S. BKCY APP. PANEL  
OF THE NINTH CIRCUIT

MAR - 5 2008

In Re: DeOCAMPO

BAP No.: NC-08-1065

Bankruptcy No(s): 07-31475 DM

FILED  
DOCKETED 3/5 EB  
DATE INITIAL

NOTICE OF DEFICIENT NOTICE OF APPEAL

Notice of appeal in this case has been received by the Bankruptcy Appellate Panel and assigned the case number appearing above.

The notice of appeal is deficient in that it does not comply with Federal Rule of Bankruptcy Procedure 8001(a), which requires the notice of appeal to "contain the names of all parties to the judgment, order, or decree appealed from and the names, addresses and telephone numbers of their respective attorneys...."

Please immediately comply with this rule by filing this information with the BAP Clerk.

Harold S. Marenus, BAP Clerk

By: Freddie Brown  
Deputy Clerk

Date: February 28, 2008

PARTY INFORMATION

Party Information

Respective Attorney Information

Debtor(s) Name :

Sandra DeOcampo  
2101 Shoreline Drive, #470  
Alameda, CA 94501

Attorney Name :

Albert M. Kun  
381 Bush St., #200  
San Francisco, CA 94104

Appellant(s) Name :  
Pro Per [ ]

Sandra DeOcampo  
2101 Shoreline Drive, #470  
Alameda, CA 94501

Attorney Name :

Albert M. Kun  
381 Bush St., #200  
San Francisco, CA 94104

Appellee(s) Name :  
Pro Per [ ]

United States Trustee

Attorney Name :

Julie M. Glosson  
Office of the U.S. Trustee  
235 Pine Street, Suite 700  
San Francisco, CA 94104



Albert M. Kun, Esq. (SBN 55820)  
 381 Bush Street, Suite 200  
 San Francisco, CA 94104  
 Telephone: (415) 362-4000  
 Facsimile: (415) 362-1305

**RECEIVED**  
 Harold S. Marston, Clerk  
 U. S. BKCY. APP. PANEL  
 OF THE NINTH CIRCUIT

MAR 10 2008

FILED  
 DOCKETED 3/10/08 FB  
 DATE INITIAL

Attorney for Debtor Appellant,  
 Sandra de Ocampo

**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

IN RE	)	Case No. 07-31475 DM 11
	)	Chapter 11
SANDRA DE OCAMPO,	)	
	)	
Appellant-Debtor.	)	
	)	

**DESIGNATION OF CONTENTS FOR INCLUSION IN  
 RECORD ON APPEAL AND STATEMENT OF ISSUES ON APPEAL**

Appellant, SANDRA DEOCAMPO, the debtor herein, files this Designation of Contents for Inclusion in the Record on Appeal and Statement of Issues on Appeal. The following shall be included in the record on appeal:

1. All moving papers by the United States Trustee for the appointment of a Chapter 11 Trustee.
2. All responsive papers by debtor in opposition to the appointment of a Chapter 11 Trustee.
3. All reply papers filed by the United States Trustee for the appointment of a Chapter 11 Trustee.

Designation of Contents for Inclusion in Record On Appeal and Statement of Issues on Appeal 1

Case No. 07-31475



- 1 4. All Orders filed for the appointment of a Chapter 11 Trustee.
- 2 5. Debtor's Notice of Appeal.
- 3 6. Transcript of the hearing on February 15, 2008 at 10:00 AM.
- 4 7. The Docket in this matter.
- 5
- 6

7 Dated: February 25, 2008

8 /s/  
9 Albert M. Kun  
10 Attorney for Appellant  
11  
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**COURT SERVICE LIST****Debtor**

Sandra DeOcampo  
2101 Shoreline Dr. #470  
Alameda, CA 94501

Michael C. Fallon, Esq.  
100 E. Street, Suite 219  
Santa Rosa, CA 95404

**U.S. Trustee**

Julie M. Glosson  
Office of the U.S. Trustee  
235 Pine Street, Suite 700  
San Francisco, CA 94104

**All Creditors on Matrix**

RECEIVED  
Harold S. Marquis, Clerk  
U. S. BKCY. APP. PANEL  
OF THE NINTH CIRCUIT

MAR 10 2008

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO

**FILED**

MAR 5 2008

UNITED STATES BANKRUPTCY COURT  
SAN FRANCISCO, CA

FILED  
DOCKETED 3/10/08 FB  
DATE INITIAL

In re:

SANDRA DeOCAMPO

Debtor(s) /

Case Number: 07-31475

Chapter: 11

BAP Number:

CERTIFICATE OF RECORD

The undersigned Deputy Clerk of the U. S. Bankruptcy Court, San Francisco Division, hereby certifies pursuant to Local Rule 4(a) of the Rules of the U. S. Bankruptcy Appellate Panel of the Ninth Circuit that the designated record is in the U. S. Bankruptcy Court's file and will be transmitted upon request from the Clerk of the Bankruptcy Appellate Panel.

Gloria L. Franklin, Clerk  
United States Bankruptcy Court

Date: March 5th, 2008

By: Cooper Glosenger

## COURT CERTIFICATE OF MAILING

I, the undersigned, a regularly appointed clerk of the United States Bankruptcy Court for the Northern District of California, at San Francisco, hereby certify:

That I, in the performance of my duties as such clerk, served a copy of the foregoing document:

## CERTIFICATE OF RECORD

by depositing it in the regular United States mail at San Francisco, California on the date shown below, in a sealed envelope bearing the lawful frank of the Bankruptcy Judge, addressed as listed below.

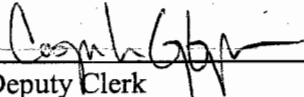
Bankruptcy Appellate Panel of  
the Ninth Circuit  
125 S. Grand Avenue  
Pasadena, CA 91105

Michael C. Fallon  
Law Offices of Michael C.  
Fallon  
100 E St. #219  
Santa Rosa, CA 95404

Janina M. Elder  
P.O. Box 158  
Middletown, CA 95461

Office of the U.S. Trustee / SF  
235 Pine Street  
Suite 700  
San Francisco, CA 94104

DATED: March 5th 2008

  
Deputy Clerk Cooper Glosenger

**FILED**

MAR 11 2008

HAROLD S. MARENUS, CLERK  
U.S. BKCY. APP. PANEL  
OF THE NINTH CIRCUIT**UNITED STATES BANKRUPTCY APPELLATE PANEL  
OF THE NINTH CIRCUIT**

In re: ) BAP No. NC-08-1065  
 SANDRA DE OCAMPO, ) Bk. No. 07-31475  
 Debtor. )

SANDRA DE OCAMPO,  
 Appellant,  
 v.  
 UNITED STATES TRUSTEE,  
 Appellee.

**ORDER DENYING APPELLANT'S  
 APPLICATION TO TRANSFER  
 CASE OR, IN THE ALTERNATIVE,  
 ISSUE STAY PENDING APPEAL**

Before: PAPPAS and JURY, Bankruptcy Judges.

On February 15, 2008, the bankruptcy court entered an order authorizing the appointment of a chapter 11 trustee and denying appellant's oral motion for stay pending appeal. Appellant filed a notice of appeal on February 22, 2008, and an untimely statement of election on February 27, 2008. On March 4, 2008, appellant filed an emergency motion with the BAP to transfer the case to district court or, in the alternative, issue a stay pending appeal.

**Stay Pending Appeal**

Appellant has not established sufficient grounds for a stay pending appeal. See Wymer v. Wymer (In re Wymer), 5 B.R. 802, 805-07 (9th Cir. BAP 1980). IT IS ORDERED THAT appellant's motion for stay pending appeal is hereby DENIED.

1 Election / Transfer

2 Bankruptcy appeals are heard by the BAP unless the appellant  
3 elects at the time of filing the appeal to have such appeal heard  
4 by the district court. 28 U.S.C. § 158(c)(1). The election "may  
5 be made only by a statement of election contained in a separate  
6 writing filed within the time prescribed by 28 U.S.C.

7 § 158(c)(1)." Fed.R.Bankr.P. 8001(e) (emphasis added). See also  
8 Amended Order Continuing Bankruptcy Appellate Panel Of The Ninth  
9 Circuit, at ¶ 3 (last amended May 9, 2002); Ioane v. Collins (In  
10 re Ioane), 227 B.R. 181, 183 (9th Cir. BAP 1998).

11 These election rules are jurisdictional and are applied  
12 mechanically in order to maintain a bright line and prevent  
13 confusion about which court, the BAP or the district court, will  
14 hear an appeal. See HBI, Inc. v. Sessions Payroll Management,  
15 Inc. (In re Mackey), 232 B.R. 784, 785-86 (9th Cir. BAP 1999).

16 The February 27, 2008, statement of election is ineffective  
17 because appellant was required to file a separate statement of  
18 election at the time that the notice of appeal is filed in order  
19 to have the appeal heard by the district court.

20 Further, appellant's motion has not persuaded the Panel that  
21 it is in the interest of justice to transfer the appeal to  
22 district court. See 9th Cir. BAP R. 8001(e)-1.

23 Accordingly, because the attempted election does not comply  
24 with Federal Rule of Bankruptcy Procedure 8001(e) and because the  
25 interests of justice will not be served by transferring the  
26 appeal, IT IS ORDERED THAT this appeal will proceed before the  
27 BAP.

28

**CERTIFICATE OF MAILING**

The undersigned deputy clerk of the U.S. Bankruptcy Appellate Panel of the Ninth Circuit Hereby certifies that a copy of the document to which this certificate is attached was mailed this date to all parties of record to this appeal, to the United States Trustee and the Clerk of the Bankruptcy Court.

By: Freddie Brown

Date: March 11, 2008



**NON-PUBLIC DOCKET (Clerk's Office Only) FOR  
U. S. Bankruptcy Appellate Panel for the Ninth Circuit**

**Bankruptcy Appellate Panel Docket #:** 08-1065**Docketed:** 02/28/2008

Sandra De Ocampo v. U.S. Trustee

**Appeal From:** California Northern - San Francisco**Fee Status:** fee paid**Case Type Information:**

- 1) Bankruptcy
- 2) Chapter 11 Non-Business
- 3) null

**Originating Court Information:****District:** 0971-3 : 07-31475 DM**Presiding Judge:** Dennis Montali**Date Filed:** 10/01/2007**Date Order/Judgment:**  
02/19/2008**Date NOA Filed:**  
02/22/2008**Date Rec'd BAP:**  
02/28/2008**Prior Cases:**

None

**Current Cases:**

None

**Panel Assignment:** Not available

In re: SANDRA DE OCAMPO

Debtor - -

SANDRA DE OCAMPO  
AppellantAlbert M. Kun, Attorney  
[COR LD NTC Retained]  
381 Bush Street  
Ste. 200  
San Francisco, CA 94104-0000

v.

U.S. TRUSTEE  
AppelleeU.S. Trustee  
[NTC Pro Se]  
OFFICE OF THE U.S. TRUSTEE  
700  
235 Pine Street  
San Francisco, CA 94104



DONNA S. TAMANAHA, Assistant U.S. Trustee (WI#1013199)  
 JULIE M. GLOSSON, Trial Attorney (#230709)  
 U.S. Department of Justice  
 Office of the United States Trustee  
 235 Pine Street, Suite 700  
 San Francisco, CA 94104  
 Telephone: (415) 705-3333  
 Facsimile: (415) 705-3379  
 email: julie.m.glosson@usdoj.gov

Attorneys for Acting United States Trustee  
 Sara L. Kistler

**RECEIVED**

MAR 06 2008

UNITED STATES BANKRUPTCY COURT  
 SAN FRANCISCO, CA

**RECEIVED**  
 Harold S. Maranus, Clerk  
 U. S. BKCY. APP. PANEL  
 OF THE NINTH CIRCUIT

MAR 13 2008

UNITED STATES BANKRUPTCY COURT  
 NORTHERN DISTRICT OF CALIFORNIA

FILED 3/13  
 DOCKETED 3/13 FB  
 DATE INITIAL

In re ) No. 07-31475 DM 11  
 )  
 SANDRA DEOCAMPO, ) Chapter 11  
 )  
 Debtor/Appellant. )

**APPELLEE ACTING U.S. TRUSTEE'S DESIGNATION OF THE  
 ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL**

Appellee Sara L. Kistler, the Acting United States Trustee for the Northern District of California, hereby designates under Federal Rule of Bankruptcy Procedure 8006, the following items to be included in the record on appeal, in addition to those items identified by Debtor-Appellant:

1. The bankruptcy court docket report in the above-captioned case.
2. Docket #1: Chapter 11 Voluntary Petition, Schedules A through J, and the Statement of Financial Affairs.
3. Docket #11: Schedule F.
4. Docket #19: First Amended Voluntary Petition, Schedules A through J, and the Statement of Financial Affairs.
5. Docket #34: [Second] Amended Voluntary Petition, Schedules A through J, and the Statement of Financial Affairs.

APPELLEE ACTING U.S. TRUSTEE'S DESIGNATION OF THE ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL

6. Docket 49: [Second Amended] Order Approving Employment of Attorney.
7. Docket #50: [Third] Amended Voluntary Petition, Schedules A through J, and the Statement of Financial Affairs.
8. Docket #51: Motion to Appoint Trustee Under 11 U.S.C. 1104.
9. Docket #52: Memorandum of Points and Authorities in Support of Acting United States Trustee's Motion for Appointment of Chapter 11 Trustee Under 11 U.S.C. 1104.
10. Docket #53: Declaration of Julie M. Glosson in Support of Acting United States Trustee's Motion for Appointment of Chapter 11 Trustee Under 11 U.S.C. 1104.
11. Docket #54: Declaration of Patricia A. Martin in Support of Acting United States Trustee's Motion for Appointment of Chapter 11 Trustee Under 11 U.S.C. 1104.
12. Docket #57: Supplemental Document of Debtor In Opposition to Appointment of Trustee.
13. Docket #58: Application to Employ Victor Borelli as Real Estate Broker.
14. Docket #59: Declaration of Victor Borelli in Support of Application to Employ.
15. Docket #60: Objection to Debtor's Application to Employ Real Estate Firm and Realtors.
16. Docket #61: Memorandum of Points and Authorities in Opposition to Motion for Appointment of Chapter 11 Trustee.
17. Docket #62: Objection to Evidence [filed by Debtor].
18. Docket #63: Declaration of Albert M. Kun in Opposition of Acting U.S. Trustee's Motion for Appointment of Chapter 11 Trustee
19. Docket #64: Declaration of Sandra DeOcampo in Opposition of Acting U.S. Trustee's Motion for Appointment of Chapter 11 Trustee.
20. Docket #69: Reply in Support of U.S. Trustee's Motion to Appoint Trustee.
21. Docket #70: [U.S. Trustee's] Response to Debtor's Evidentiary Objection.
22. Docket #71: Declaration of Sandra DeOcampo in Opposition of Acting United States Trustee's Motion for the Appointment of a Chapter 11 Trustee.

23. Docket #72: Document: Certificate of Insurance.
24. Docket #77: Order Granting Motion to Appoint Chapter 11 Trustee.
25. Docket #86: Notice Regarding Appeal.
26. Docket #87: Document: Designation of Contents for Inclusion in Record on Appeal and Statement of Issues on Appeal [filed by Debtor].
27. Docket #88: Notice Of Referral Of Appeal To Bankruptcy Appellant Panel.
28. Docket #90: Transmission Of Notice Of Appeal To BAP.
29. Docket #91: Order Denying Application to Employ Real Estate Broker.
30. Docket #93: Statement of Election to Proceed in United States District Court.
31. Docket #97: Transcript of Hearing on Motion to Appoint Chapter 11 Trustee.
32. Docket #100: [Appellee U.S. Trustee's] Statement of Election to Have Bankruptcy Appeal Heard by United States District Court.

Dated: March 6, 2008

Respectfully submitted,  
Sara L. Kistler, Acting U.S. Trustee

By: /s/ Julie M. Glosson #230709  
Trial Attorney for Appellee

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

Gloria L. Franklin  
Clerk of Court

E-filing

San Francisco Bankruptcy Court  
235 Pine St.  
P.O. Box 7341  
San Francisco, CA 94120-7341

FILED

(415) 268-2300

APR - 9 2008

Bankruptcy Appellate Panel of  
the Ninth Circuit  
125 S. Grand Avenue  
Pasadena, CA 91105

RECEIVED  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
U.S. BKCY. APP. PANEL  
OF THE NINTH CIRCUIT

FILED

MAR 7 2008

UNITED STATES BANKRUPTCY COURT  
SAN FRANCISCO, CA

MAR 13 2008

Re: *Sandra DeOcampo*  
07-31475 Judge Dennis Montali

FILED

DOCKETED

CV 08

1805

Bap#: NC-08-1065 PJH

To Whom It May Concern:

Enclosed please find the United States Trustee's Designation Of Items To Be Included In The Record On Appeal, and a copy of all applicable documents, for an appeal that has been previously sent to the Bankruptcy Appellate Panel

Please acknowledge receipt of this appeal by stamping the district court case number on a copy of this letter and return it to *United States Bankruptcy Court, San Francisco Division*.

Gloria L. Franklin, Clerk  
United States Bankruptcy Court

Dated: March 7, 2008

By:

  
Deputy Clerk

Cooper Glosenger

PlnDue, DclsDue, TRNSFD-IN, APPEAL

**U.S. Bankruptcy Court  
Northern District of California (San Francisco)  
Bankruptcy Petition #: 07-31475**

*Assigned to:* Judge Dennis Montali  
Chapter 11  
Voluntary  
Asset

*Date Filed:* 10/01/2007  
*Date Reopened:* 11/09/2007

**Debtor**

**Sandra DeOcampo**  
2101 Shoreline Dr. #470  
Alameda, CA 94501  
SSN: xxx-xx-1470

represented by **Albert M. Kun**

Law Offices of Albert M. Kun  
381 Bush St. #200  
San Francisco, CA 94104  
(415) 362-4000  
Email: albert\_kun@hotmail.com

**Trustee**

**Janina M. Elder**  
P.O. Box 158  
Middletown, CA 95461  
(707) 569-9508

represented by **Michael C. Fallon**

Law Offices of Michael C. Fallon  
100 E St. #219  
Santa Rosa, CA 95404  
(707) 546-6770  
Email: mcfallon@fallonlaw.net

**U.S. Trustee**

**Office of the U.S. Trustee /Oak**  
Office of the U.S. Trustee  
1301 Clay St. #690N  
Oakland, CA 94612  
(510) 637-3200  
*TERMINATED: 11/09/2007*

**U.S. Trustee**

**Office of the U.S. Trustee / SF**  
Office of the U.S. Trustee  
235 Pine Street  
Suite 700  
San Francisco, CA 94104  
(415) 705-3333

represented by **Julie M. Glosson**

Office of the United States Trustee  
235 Pine St. #800  
San Francisco, CA 94104  
(415) 705-3333  
Email: julie.m.glosson@usdoj.gov

Filing Date	#	Docket Text
10/01/2007	<u>1</u>	Chapter 11 Voluntary Petition, Fee Amount \$1039, Filed by Sandra DeOcampo . Order Meeting of Creditors due by 10/9/2007.Incomplete Filings due by 10/16/2007. Section 521 Filings due by 11/15/2007. (tl, ) Modified on 10/2/2007 CREDIT COUNSELING CERTIFICATE WAS NOT FILED. (pl, ). (Entered: 10/01/2007)
10/01/2007		First Meeting of Creditors with 341(a) meeting to be held on 10/29/2007 at 10:30 AM at Oakland U.S. Trustee Office. Last Day to Determine Dischargeability of Certain Debts due by 12/28/2007. Proof of Claim due by 01/28/2008. (tl, ) (Entered: 10/01/2007)
10/01/2007		Receipt of Filing Fee for Chapter 11 Voluntary Petition. Amount 1039.00 from A. Kun. Receipt Number 40061179. (tl) (Entered: 10/01/2007)



10/01/2007	<u>2</u>	Disclosure of Compensation of Attorney for Debtor in the Amount of \$ 5000 (pl, ) (Entered: 10/02/2007)
10/01/2007	<u>3</u>	Statement of Social Security Number. Filed by Debtor Sandra DeOcampo (pl, ) (Entered: 10/02/2007)
10/02/2007	<u>4</u>	Order for Payment of State and Federal Taxes . (pl, ) (Entered: 10/02/2007)
10/02/2007	<u>5</u>	Notice of Chapter 11 Bankruptcy Case, Meeting of Creditors, and Deadlines (Generated) (pl, ) (Entered: 10/02/2007)
10/03/2007	<u>6</u>	Request for Notice Filed by Creditor Galli Builders, Inc. (Harrington, Maureen) (Entered: 10/03/2007)
10/04/2007	<u>7</u>	BNC Certificate of Mailing - Meeting of Creditors. (RE: related document(s) <u>5</u> Generate 341 Notices). Service Date 10/04/2007. (Admin.) (Entered: 10/04/2007)
10/04/2007	<u>8</u>	BNC Certificate of Mailing - Payment of State and Fed Taxes. (RE: related document(s) <u>4</u> Order for Payment of State and Federal Taxes). Service Date 10/04/2007. (Admin.) (Entered: 10/04/2007)
10/08/2007	<u>9</u>	Request for Notice <i>with Proof of Service</i> Filed by Creditor Washington Mutual Bank (Buckley, Lawrence) (Entered: 10/08/2007)
10/10/2007	<u>10</u>	Request for Notice Filed by Creditor First Horizon Home Loan Corporation (Attachments: # <u>1</u> Certificate of Service) (Oliner, Aron) (Entered: 10/10/2007)
10/11/2007	<u>11</u>	Schedule F <i>creditors holding unsecured nonpriority claims</i> (RE: related document(s) <u>1</u> Voluntary Petition (Chapter 11), Voluntary Petition (Chapter 11)). Filed by Debtor Sandra DeOcampo (Kun, Albert) Modified on 10/12/2007 ERROR: INCORRECT EVENT SELECTED/FEE NOT PAID (pl, ). (Entered: 10/11/2007)
10/12/2007	<u>12</u>	Motion for Relief from Stay [ <i>Secured Creditor First Horizon Home Loan's Motion for Relief from the Automatic Stay</i> ] Fee Amount \$150, Filed by Creditor First Horizon Home Loan Corporation (Attachments: # <u>1</u> Declaration # <u>2</u> Exhibit # <u>3</u> Exhibit # <u>4</u> Declaration # <u>5</u> Exhibit # <u>6</u> Exhibit # <u>7</u> Exhibit # <u>8</u> Certificate of Service) (Oliner, Aron) Modified on 10/15/2007 DOCUMENT AND DOCKET ENTRY DO NOT INCLUDE RS NUMBER (pl, ). (Entered: 10/12/2007)
10/12/2007		Receipt of filing fee for Motion for Relief From Stay(07-43214) [motion,mrlfsty] ( 150.00). Receipt number 4717453, amount \$ 150.00 (U.S. Treasury) (Entered: 10/12/2007)
10/12/2007	<u>13</u>	Relief From Stay Cover Sheet (RE: related document(s) <u>12</u> Motion for Relief From Stay, ). Filed by Creditor First Horizon Home Loan Corporation (Oliner, Aron) Modified on 10/15/2007 DOCUMENT AND DOCKET ENTRY DO NOT INCLUDE RS NUMBER (pl, ). (Entered: 10/12/2007)
10/12/2007		<b>**ERROR**</b> INCORRECT EVENT SELECTED/FEE NOT PAID - USE CORRECT EVENT:MISCELLANEOUS > AMENDED SCHEDULES C,E, AND F - FEE REQUIRED) CORRECTION REQUIRED.(RE: related document(s) <u>11</u> Schedule F, ). (pl, ) (Entered: 10/12/2007)
10/12/2007	<u>14</u>	Notice of Hearing on <i>Motion for Relief from the Automatic Stay</i> (RE: related document(s) <u>12</u> Motion for Relief from Stay [ <i>Secured Creditor First Horizon Home Loan's Motion for Relief from the Automatic Stay</i> ] Fee Amount \$150, Filed by Creditor First Horizon Home Loan Corporation (Attachments: # (1) Declaration # (2) Exhibit # (3) Exhibit # (4) Declaration # (5)

		Exhibit # (6) Exhibit # (7) Exhibit # (8) Certificate of Service) (Oliner, Aron)). Hearing scheduled for 11/9/2007 at 11:00 AM at Oakland Room 201 - Tchaikovsky. Filed by Creditor First Horizon Home Loan Corporation (Oliner, Aron) Modified on 10/15/2007 DOCUMENT AND DOCKET ENTRY DO NOT INCLUDE RS NUMBER; DOCUMENT WAS NOT LINKED PROPERLY. COURT CORRECTED (pl, ). (Entered: 10/12/2007)
10/16/2007	<u>15</u>	Amended Schedule F <i>Creditors holding unsecured nonpriority claims</i> . Fee Amount \$26. Filed by Debtor Sandra DeOcampo (Kun, Albert) Modified on 10/17/2007 FILING FEE WASN'T PAID (pl, ). (Entered: 10/16/2007)
10/17/2007		Receipt of filing fee for Amended Schedules (D, E, and F - Fee Required)(07-43214) [misc,amdsch] ( 26.00). Receipt number 4730287, amount \$ 26.00 (U.S. Treasury) (Entered: 10/17/2007)
10/19/2007	<u>16</u>	Request for Notice Filed by Creditor First Horizon Home Loan Corporation (Choy, William) (Entered: 10/19/2007)
10/19/2007	<u>17</u>	Certificate of Service (RE: related document(s) <u>16</u> Request for Notice). (Choy, William) (Entered: 10/19/2007)
10/19/2007	<u>18</u>	Amended Declaration of Raymond J. Peters in Support of <i>Motion for Relief from the Automatic Stay</i> (RE: related document(s) <u>12</u> Motion for Relief From Stay, ). Filed by Creditor First Horizon Home Loan Corporation (Attachments: # <u>1</u> Declaration [part 1 of eight] Exhibits A to F to Amended Dec ISO Motion for Relief from the Automatic Stay# <u>2</u> Declaration [part 2 of eight] Exhibits A to F to Amended Dec ISO Motion for Relief from the Automatic Stay# <u>3</u> Exhibit [part 3 of eight] Exhibits A to F to Amended Dec ISO Motion for Relief from the Automatic Stay# <u>4</u> Exhibit [part 4 of eight] Exhibits A to F to Amended Dec ISO Motion for Relief from the Automatic Stay# <u>5</u> Exhibit [part 5 of eight] Exhibits A to F to Amended Dec ISO Motion for Relief from the Automatic Stay# <u>6</u> Exhibit [part 6 of eight] Exhibits A to F to Amended Dec ISO Motion for Relief from the Automatic Stay# <u>7</u> Exhibit [part 7 of eight] Exhibits A to F to Amended Dec ISO Motion for Relief from the Automatic Stay# (8) Exhibit [part 8 of eight] Exhibits A to F to Amended Dec ISO Motion for Relief from the Automatic Stay# <u>9</u> Certificate of Service) (Oliner, Aron) Modified on 10/22/2007 DOCKET RELATIONSHIP WAS CORRECTED BY THE COURT (pl, ). (Entered: 10/19/2007)
10/29/2007		Meeting of Creditors Continued, Tape Counter: 2, <i>Debtor and Debtor's counsel, Allbert Kun, Ron Oliner for creditor First Horizon, Debtor needs to review bankruptcy papers and make numerous amendments to them before continued meeting</i> . 341(a) meeting to be held on 11/5/2007 at 01:00 PM Oakland U.S. Trustee Office (McGee, Margaret) (Entered: 10/29/2007)
11/01/2007	<u>19</u>	First Amended Voluntary Petition. Filed by Debtor Sandra DeOcampo (Kun, Albert) Modified on 11/2/2007 VOLUNTARY PETITION IS NOT IN THE CORRECT ORDER (pl, ). (Entered: 11/01/2007)
11/02/2007		<b>**ERROR**</b> VOLUNTARY PETITION IS NOT IN THE CORRECT ORDER. IN THE FUTURE PLEASE MAKE SURE THAT THE VOLUNTARY PETITION (OFFICIAL FORM 1) ARE THE FIRST THREE PAGES. (RE: related document(s) <u>19</u> Amended Voluntary Petition). (pl, ) (Entered: 11/02/2007)
11/05/2007	<u>20</u>	Brief/Memorandum in Opposition to <i>Motion for Relief From Stay</i> (RE: related document(s) <u>12</u> Motion for Relief From Stay, ). Filed by Creditor Galli Builders, Inc. (Attachments: # <u>1</u> Exhibit 1) (Harrington, Maureen) (Entered: 11/05/2007)
11/08/2007	<u>21</u>	Motion for Intra-District Transfer <i>Ex Parte Application for Transfer of Case to Another Division</i> Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 11/08/2007)



11/08/2007	<u>22</u>	Request for Notice Filed by Creditor Sideman & Bancroft LLP (Cross, Robert) (Entered: 11/08/2007)
11/08/2007	<u>23</u>	Amended Certificate of Service (RE: related document(s) <u>22</u> Request for Notice). (Cross, Robert) (Entered: 11/08/2007)
11/09/2007		MINUTES: HEARING HELD ON 11/9/07 AT 11:00 A.M. APPEARING: GEOFFREY HEATON - FOR FIRST HORIZON HOME LOANS, ALBERT KUN - FOR DEBTOR, CINDY LANGENBECK - FOR GALLI BUILDERS. 1) DEBTOR HAS FILED AN APPLICATION TO CHANGE VENUE TO SAN FRANCISCO. THE APPLICATION IS GRANTED. ORDER TRANSFERRING VENUE SIGNED IN COURT. 2) THE HEARING ON MOTION FOR RELIEF FROM STAY IS CONTINUED TO 11/20/07 AT 11:00 A.M. IN THIS COURT, AS A FOLLOW UP DATE. (RE: related document(s) <u>12</u> Motion for Relief from Stay [Secured Creditor First Horizon Home Loan's Motion for Relief from the Automatic Stay] Fee Amount \$150, Filed by Creditor First Horizon Home Loan Corporation (Attachments: # (1) Declaration # (2) Exhibit # (3) Exhibit # (4) Declaration # (5) Exhibit # (6) Exhibit # (7) Exhibit # (8) Certificate of Service) (Oliner, Aron) Modified on 10/15/2007 DOCUMENT AND DOCKET ENTRY DO NOT INCLUDE RS NUMBER (pl, ). Hearing to be held on 11/20/2007 at 11:00 AM Oakland Room 201 - Tchaikovsky for <u>12</u> , (hb, ) (Entered: 11/09/2007)
11/09/2007	<u>24</u>	Order Granting Motion for Intra-District Transfer to the San Francisco Division (Related Doc # <u>21</u> ). (jkw, ) (Entered: 11/09/2007)
11/09/2007		Transmit Intra-District Transfer Case to the San Francisco Division (jkw, ) (Entered: 11/09/2007)
11/11/2007	<u>25</u>	BNC Certificate of Mailing (RE: related document(s) <u>24</u> Order on Motion for Intra-District Transfer). Service Date 11/11/2007. (Admin.) (Entered: 11/11/2007)
11/13/2007		Judge Thomas E. Carlson added to case (dc, ) (Entered: 11/13/2007)
11/13/2007		Meeting of Creditors 341(a) meeting to be held on 12/11/2007 at 01:00 PM San Francisco U.S. Trustee Office Last day to oppose discharge or dischargeability is 2/11/2008 Proofs of Claims due by 3/10/2008 (dc, ) (Entered: 11/13/2007)
11/13/2007	<u>26</u>	Order To File Required Documents and Notice Regarding Dismissal. Non-Compliance (Documents) due by 11/30/2007 (dc, ) (Entered: 11/13/2007)
11/13/2007	<u>27</u>	Notice of Chapter 11 Bankruptcy Case, Meeting of Creditors, and Deadlines (Generated) (dc, ) (Entered: 11/13/2007)
11/13/2007	<u>28</u>	Notice of Transferred Case 07-43214 LT. The case was transferred from Oakland Division. (dc, ) (Entered: 11/13/2007)
11/15/2007	<u>29</u>	BNC Certificate of Mailing - Meeting of Creditors. (RE: related document(s) <u>27</u> Generate 341 Notices). Service Date 11/15/2007. (Admin.) (Entered: 11/15/2007)
11/15/2007	<u>30</u>	BNC Certificate of Mailing - Ntc of Transfer of Case. (RE: related document(s) <u>28</u> Notice of Transferred Case). Service Date 11/15/2007. (Admin.) (Entered: 11/15/2007)
11/15/2007	<u>31</u>	BNC Certificate of Mailing (RE: related document(s) <u>26</u> Order to File Missing Documents). Service Date 11/15/2007. (Admin.) (Entered: 11/15/2007)
11/16/2007	<u>32</u>	Order Transferring Bankruptcy Case To The Honorable Dennis Montali (RE: related document(s) <u>28</u> Notice of Transferred Case). (cog) (Entered: 11/19/2007)
11/20/2007		Judge Dennis Montali added to case (cog, ) (Entered: 11/20/2007)

11/29/2007	<u>33</u>	Request for Notice <i>with Proof of Service</i> Filed by Creditor Washington Mutual Bank (Buckley, Lawrence) (Entered: 11/29/2007)
12/05/2007	<u>34</u>	Amended Voluntary Petition. Filed by Debtor Sandra DeOcampo (Kun, Albert) Additional attachment(s) added on 12/6/2007 (cog, ). (Entered: 12/05/2007)
12/06/2007		<b>**ERRORS**</b> 1) Debtor re-filed all schedules and other supporting documents, calling them "amended" regardless of whether or not they were actually modified. 2) Amended Schedule F is actually the Second Amended F. 3) Debtor added creditors to the case but did not select the appropriate event code and was consequently not prompted to pay the amendment fee - Debtor owes the court \$26.00 for adding additional creditors. 4) Statement Of Social Security Number - a confidential document - was included in the amendment. Court detached the PDF, redacted the social security number and then reattached the PDF to the docket. (RE: related document(s) <u>34</u> Amended Voluntary Petition). (cog, ) (Entered: 12/06/2007)
12/07/2007		Receipt of Amendment Filing Fee. Amount 26.00 from Albert Kum. Receipt Number 30044423. (ac) (Entered: 12/07/2007)
12/11/2007	<u>35</u>	Affidavit Re: <i>Albert M. Kun</i> Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 12/11/2007)
12/11/2007	<u>36</u>	Application to Employ Albert M. Kun as as Attorney Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 12/11/2007)
12/11/2007		Meeting of Creditors Continued <i>Meeting of Creditors held on 12/11/07 and continued</i> . 341(a) meeting to be held on 1/10/2008 at 02:00 PM San Francisco U.S. Trustee Office (Glosson, Julie) (Entered: 12/11/2007)
12/12/2007	<u>37</u>	Certificate of Credit Counseling Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 12/12/2007)
12/17/2007	<u>38</u>	Objection to the <i>Employment Application of Debtor's Counsel Albert Kun</i> (RE: related document(s) <u>36</u> Application to Employ). Filed by U.S. Trustee Office of the U.S. Trustee / SF (Attachments: # <u>1</u> Declaration # <u>2</u> Certificate of Service) (Glosson, Julie) (Entered: 12/17/2007)
12/19/2007	<u>39</u>	Declaration of Albert M. Kun in Opposition of <i>Acting United States Trustee's Objection to the Application of Debtor's Counsel</i> (RE: related document(s) <u>38</u> Objection, ). Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 12/19/2007)
12/20/2007		Hearing Continued (RE: related document(s) <u>12</u> Motion for Relief from Stay [ <i>Secured Creditor First Horizon Home Loan's Motion for Relief from the Automatic Stay</i> ] Fee Amount \$150,). Hearing to be held on 1/31/2008 at 9:30 AM San Francisco Courtroom 22 - Montali for <u>12</u> , (lp, ) (Entered: 12/20/2007)
12/20/2007	<u>40</u>	Request for Hearing Regarding <i>the Employment Application of Debtor's Counsel Albert Kun with Certificate of Service</i> . (RE: related document(s) <u>36</u> Application to Employ). Filed by U.S. Trustee Office of the U.S. Trustee / SF (Glosson, Julie) (Entered: 12/20/2007)
12/20/2007	<u>41</u>	Order Setting Hearing On Objection To Employment (RE: related document(s) <u>38</u> Objection filed by U.S. Trustee Office of the U.S. Trustee / SF). Hearing scheduled for 12/28/2007 at 10:00 AM at San Francisco Courtroom 22 - Montali. (cog, ) (Entered: 12/20/2007)
12/21/2007	<u>42</u>	First Amended Affidavit Re: (RE: related document(s) <u>34</u> Amended Voluntary Petition). Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 12/21/2007)



12/21/2007	<u>44</u>	Order Rescheduling Hearing On Objection To Employment (RE: related document(s) <u>41</u> Order To Set Hearing, <u>38</u> Objection filed by U.S. Trustee Office of the U.S. Trustee / SF). Hearing to be held on 1/4/2008 at 10:00 AM San Francisco Courtroom 22 - Montali for <u>38</u> , (cog, ) (Entered: 12/27/2007)
12/22/2007	<u>43</u>	BNC Certificate of Mailing (RE: related document(s) <u>41</u> Order To Set Hearing). Service Date 12/22/2007. (Admin.) (Entered: 12/22/2007)
12/27/2007	<u>45</u>	First Amended Application to Employ Albert M. Kun as Attorney Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 12/27/2007)
12/27/2007	<u>46</u>	Memorandum of Points and Authorities in Opposition of <i>United States Trustee's Motion</i> (RE: related document(s) <u>38</u> Objection, ). Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 12/27/2007)
12/27/2007	<u>47</u>	Objection to Evidence Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 12/27/2007)
12/29/2007	<u>48</u>	BNC Certificate of Mailing (RE: related document(s) <u>44</u> Order to Continued Hearing, ). Service Date 12/29/2007. (Admin.) (Entered: 12/29/2007)
01/04/2008		Hearing Held. U. S. Trustee's objection to employment of Albert Kun is overruled. Employment is authorized. Order to follow. (RE: related document(s) <u>45</u> First Amended Application to Employ Albert M. Kun as Attorney , <u>38</u> Objection, ). (lp, ) Modified on 1/7/2008 (lp, ). (Entered: 01/07/2008)
01/07/2008	<u>49</u>	Second Amended Order Granting Application to Employ Attorney Albert M. Kun for Sandra DeOcampo Added to the Case (Related Doc # <u>45</u> ) (cog, ) (Entered: 01/08/2008)
01/09/2008	<u>50</u>	Amended Voluntary Petition. Filed by Debtor Sandra DeOcampo (Kun, Albert) Additional attachment(s) added on 1/10/2008 (cog, ). (Entered: 01/09/2008)
01/10/2008		Meeting of Creditors Held and Concluded on 1/10/2008. ((RE: related document(s) Meeting of Creditors Continued). (Glosson, Julie) (Entered: 01/10/2008)
01/10/2008		<b>**CORRECTIVE ENTRY**</b> 1) Court redacted social security number from Amended Voluntary Petition. The Statement Of Social Security Number must be filed with the appropriate event code to protect Debtor's personal information. 2) Court corrected Debtor's address (RE: related document(s) <u>50</u> Amended Voluntary Petition). (cog, ) (Entered: 01/10/2008)
01/14/2008	<u>51</u>	Motion to Appoint Trustee <i>Under 11 U.S.C. 1104</i> . Filed by U.S. Trustee Office of the U.S. Trustee / SF (Glosson, Julie) (Entered: 01/14/2008)
01/14/2008	<u>52</u>	Memorandum of Points and Authorities in Support of <i>Acting United States Trustee's Motion for Appointment of Chapter 11 Trustee Under 11 U.S.C. 1104</i> . (RE: related document(s) <u>51</u> Motion to Appoint Trustee). Filed by U.S. Trustee Office of the U.S. Trustee / SF (Attachments: # <u>1</u> Exhibit A - Transcript 12/11/2007# <u>2</u> Exhibit B - Power of Attorney# <u>3</u> Exhibit C (1 of 2) - Appraisal# <u>4</u> Exhibit C (2 of 2) - Appraisal# <u>5</u> Exhibit D - Transcript 10/29/2007# <u>6</u> Exhibit E - Transcript 11/05/2007) (Glosson, Julie) (Entered: 01/14/2008)
01/14/2008	<u>53</u>	Declaration of Julie M. Glosson in Support of <i>Acting United States Trustee's Motion for Appointment of Chapter 11 Trustee Under 11 U.S.C. 1104</i> . (RE: related document(s) <u>51</u> Motion to Appoint Trustee). Filed by U.S. Trustee Office of the U.S. Trustee / SF (Glosson, Julie) (Entered: 01/14/2008)
01/14/2008	<u>54</u>	Declaration of Patricia A. Martin in Support of <i>Acting United States Trustee's Motion for Appointment of Chapter 11 Trustee Under 11 U.S.C. 1104</i> . (RE: related document(s) <u>51</u> Motion

		to Appoint Trustee). Filed by U.S. Trustee Office of the U.S. Trustee / SF (Glosson, Julie) (Entered: 01/14/2008)
01/14/2008	<u>55</u>	Notice of Hearing on Acting United States Trustee's Motion for Appointment of Chapter 11 Trustee Under 11 U.S.C. 1104. (RE: related document(s) <u>51</u> Motion to Appoint Trustee Under 11 U.S.C. 1104. Filed by U.S. Trustee Office of the U.S. Trustee / SF (Glosson, Julie)). Hearing scheduled for 2/15/2008 at 10:00 AM at San Francisco Courtroom 22 - Montali. Filed by U.S. Trustee Office of the U.S. Trustee / SF (Glosson, Julie) (Entered: 01/14/2008)
01/14/2008	<u>56</u>	Certificate of Service (RE: related document(s) <u>51</u> Motion to Appoint Trustee, <u>55</u> Notice of Hearing,, <u>54</u> Declaration,, <u>52</u> Memo of Points & Authorities,, <u>53</u> Declaration, ). (Glosson, Julie) (Entered: 01/14/2008)
01/25/2008	<u>57</u>	Supplemental Document of Debtor in In Opposition to Appointment of Trustee Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 01/25/2008)
01/30/2008	<u>58</u>	Application to Employ Victor Borelli as Real Estate Broker Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 01/30/2008)
01/30/2008	<u>59</u>	Declaration of Victor Borelli in Support of Application to Employ Victor Borelli and Pacific Union/GMAC (RE: related document(s) <u>58</u> Application to Employ). Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 01/30/2008)
01/31/2008		Courtroom Hearing Continued (RE: Motion for Relief From Stay - related document(s) <u>12</u> ) (Continued to 2/15/2008 10:00 AM at San Francisco Courtroom 22 - Montali) (Debtor to provide proof of liability insurance and collateral protection insurance to the moving party.)(lp, ) (Entered: 01/31/2008)
01/31/2008	<u>60</u>	Objection to Debtor's Application to Employ Real Estate Firm and Realtors, Request for Hearing Regarding Application to Employ and Objection. (RE: related document(s) <u>58</u> Application to Employ). Filed by U.S. Trustee Office of the U.S. Trustee / SF (Glosson, Julie) (Entered: 01/31/2008)
02/01/2008	<u>61</u>	Memorandum of Points and Authorities in Opposition of Motion for Appointment of Chapter 11 Trustee (RE: related document(s) <u>51</u> Motion to Appoint Trustee). Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 02/01/2008)
02/01/2008	<u>62</u>	Objection to Evidence (RE: related document(s) <u>54</u> Declaration,, <u>53</u> Declaration, ). Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 02/01/2008)
02/01/2008	<u>63</u>	Declaration of Albert M. Kun in Opposition of Acting United States Trustee's Motion for the Appointment of a Chapter 11 Trustee Under 11 USC Section 1104 (RE: related document(s) <u>51</u> Motion to Appoint Trustee). Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 02/01/2008)
02/01/2008	<u>64</u>	Declaration of Sandra DeOcampo in Opposition of Acting United States Trustee's Motion for the Appointment of a Chapter 11 Trustee Under 11 USC Section 1104 (RE: related document(s) <u>51</u> Motion to Appoint Trustee). Filed by Debtor Sandra DeOcampo (Attachments: # <u>1</u> Exhibit Exhibit A - Insurance Proposal) (Kun, Albert) (Entered: 02/01/2008)
02/01/2008	<u>65</u>	Motion for Relief from Stay RS #WGM-749, Fee Amount \$150, Filed by Creditor Washington Mutual Bank (Attachments: # <u>1</u> RS Cover Sheet # <u>2</u> Certificate of Service # <u>3</u> Memorandum of Points and Authorities # <u>4</u> Exhibit) (Malcolm, William) (Entered: 02/01/2008)
02/01/2008		Receipt of filing fee for Motion for Relief From Stay(07-31475) [motion,mrlfsty] ( 150.00). Receipt number 5078187, amount \$ 150.00 (U.S. Treasury) (Entered: 02/01/2008)



02/01/2008	<u>66</u>	Notice of Hearing (RE: related document(s) <u>65</u> Motion for Relief from Stay RS #WGM-749, Fee Amount \$150, Filed by Creditor Washington Mutual Bank (Attachments: # (1) RS Cover Sheet # (2) Certificate of Service # (3) Memorandum of Points and Authorities # (4) Exhibit) (Malcolm, William)). Hearing scheduled for 2/28/2008 at 09:30 AM at San Francisco Courtroom 22 - Montali. Filed by Creditor Washington Mutual Bank (Malcolm, William) (Entered: 02/01/2008)
02/08/2008	<u>67</u>	Operating Report for Filing Period October 2007 Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 02/08/2008)
02/08/2008	<u>68</u>	Operating Report for Filing Period November 2007 Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 02/08/2008)
02/08/2008	<u>69</u>	Reply to <i>In Support of U.S. Trustee's Motion to Appoint Trustee (includes Exhibit F)</i> (RE: related document(s) <u>51</u> Motion to Appoint Trustee). Filed by U.S. Trustee Office of the U.S. Trustee / SF (Attachments: # <u>1</u> Exhibit F (part 1 of 2)# <u>2</u> Exhibit F (part 2 of 2)# <u>3</u> Certificate of Service) (Glosson, Julie) (Entered: 02/08/2008)
02/08/2008	<u>70</u>	Response to <i>Debtor's Evidentiary Objections</i> (RE: related document(s) <u>62</u> Objection). Filed by U.S. Trustee Office of the U.S. Trustee / SF (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Certificate of Service) (Glosson, Julie) (Entered: 02/08/2008)
02/12/2008	<u>71</u>	Declaration of Sandra DeOcampo in Opposition of <i>Acting United States Trustee's Motion for the Appointment of a Chapter 11 Trustee</i> (RE: related document(s) <u>51</u> Motion to Appoint Trustee). Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 02/12/2008)
02/14/2008	<u>72</u>	Document: <i>Certificate of Insurance</i> . (RE: related document(s) <u>51</u> Motion to Appoint Trustee). Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 02/14/2008)
02/15/2008	<u>73</u>	Amended Request for Notice Filed by Creditor Galli Builders, Inc. (Harrington, Maureen) (Entered: 02/15/2008)
02/15/2008	<u>74</u>	Notice Regarding <i>Withdrawal of Counsel</i> Filed by Creditor Galli Builders, Inc. (Harrington, Maureen) (Entered: 02/15/2008)
02/15/2008		Hearing Continued (RE: related document(s) <u>12</u> Motion for Relief from Stay [ <i>Secured Creditor First Horizon Home Loan's Motion for Relief from the Automatic Stay</i> ] Fee Amount \$150,). Hearing to be held on 2/27/2008 at 10:00 AM San Francisco Courtroom 22 - Montali for <u>12</u> , (lp, ) (Entered: 02/15/2008)
02/15/2008		Hearing Held. Motion granted for the reasons stated on the record. Oral motion by Mr. Kun to stay order granting motion to appoint trustee is denied. Ms. Glosson (UST) to upload order denying the motion and is to include the denial of the oral motion. Ms. Glosson to submit a separate order denying the appointment of the real estate professionals for the reasons stated on the record. (RE: related document(s) <u>51</u> Motion to Appoint Trustee <i>Under 11 U.S.C. 1104.</i> ). (lp, ) (Entered: 02/15/2008)
02/15/2008	<u>75</u>	Certificate of Service of <i>Proposed Orders (Real Estate Broker; Appointment of Trustee)</i> (Glosson, Julie) (Entered: 02/15/2008)
02/15/2008	<u>76</u>	Corrected Certificate of Service of <i>Proposed Orders (Real Estate; Appointment of Trustee)</i> ( <i>Corrected to attach service list</i> ) (Glosson, Julie) (Entered: 02/15/2008)
02/15/2008	<u>77</u>	Order Granting Motion to Appoint Chapter 11 Trustee. (cog, ) (Entered: 02/15/2008)
02/15/2008	<u>78</u>	Certificate of Service (RE: related document(s) <u>73</u> Request for Notice, <u>74</u> Notice). (Harrington, Maureen) (Entered: 02/15/2008)

02/15/2008	<u>79</u>	Motion / <i>Application for Order Approving the Appointment of Chapter 11 Trustee</i> . Filed by U.S. Trustee Office of the U.S. Trustee / SF (Attachments: # <u>1</u> Statement of Disinterestedness of Janina M. Elder# <u>2</u> Proposed Order# <u>3</u> Certificate of Service) (Glosson, Julie) (Entered: 02/15/2008)
02/17/2008	<u>80</u>	BNC Certificate of Mailing (RE: related document(s) <u>77</u> Order on Motion to Appoint Trustee). Service Date 02/17/2008. (Admin.) (Entered: 02/17/2008)
02/19/2008	<u>81</u>	Order Approving Appointment Of Chapter 11 Trustee. Janina M. Elder added to the case. (cog) (Entered: 02/19/2008)
02/21/2008	<u>82</u>	Notice Regarding <i>Appointment of Chapter 11 Trustee, Janina M. Elder</i> . Filed by U.S. Trustee Office of the U.S. Trustee / SF (Tamanaha, Donna (at)) (Entered: 02/21/2008)
02/21/2008	<u>83</u>	Certificate of Service (RE: related document(s) <u>82</u> Notice). (Tamanaha, Donna (at)) (Entered: 02/21/2008)
02/21/2008	<u>84</u>	Application to Employ Michael Fallon as Attorney Filed by Trustee Janina M. Elder (Attachments: # <u>1</u> Declaration Michael Fallon) (Fallon, Michael) (Entered: 02/21/2008)
02/21/2008	<u>85</u>	BNC Certificate of Mailing (RE: related document(s) <u>81</u> Order Appointing Trustee). Service Date 02/21/2008. (Admin.) (Entered: 02/21/2008)
02/22/2008	<u>86</u>	Notice Regarding <i>Appeal</i> (RE: related document(s) <u>81</u> Order Approving Appointment Of Chapter 11 Trustee. Janina M. Elder added to the case. (cog)). Filed by Debtor Sandra DeOcampo (Kun, Albert) NOTICE INCORRECTLY DOCKETED. COURT WILL RE-DOCKET TO CORRECTLY SET UP APPLICABLE DEADLINES. Modified on 2/25/2008 (cog, ). (Entered: 02/22/2008)
02/22/2008		Receipt of Appeal Filing Fee. Amount 255.00 from Sandra De Ocampo. Receipt Number 30044886. (cg) (Entered: 02/22/2008)
02/22/2008	<u>89</u>	COURT-CORRECTED Notice of Appeal to BAP , Fee Amount \$ 255. (RE: related document(s) <u>81</u> Order Appointing Trustee). Appellant Designation due by 3/3/2008. Transmission to BAP due by 2/25/2008. Filed by Debtor Sandra DeOcampo (cog, ) Modified on 2/25/2008 (cog, ). (Entered: 02/25/2008)
02/25/2008	<u>87</u>	Document: <i>Designation of Contents for Inclusion in Record on Appeal and Statement of Issues on Appeal</i> . (RE: related document(s) <u>86</u> Notice). Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 02/25/2008)
02/25/2008		<b>**ERRORS**</b> 1) Wrong event code. Use "Appeal" -> "Notice Of Appeal". 2) The Statement Of Election To District Court must be filed as a separate document at the time of filing the Notice Of Appeal(RE: related document(s) <u>86</u> Notice). (cog, ) (Entered: 02/25/2008)
02/25/2008	<u>88</u>	Notice Of Referral Of Appeal To Bankruptcy Appellant Panel (RE: <u>89</u> Notice of Appeal to BAP).(cog, ). Additional attachment(s) added on 2/25/2008 (cog, ). (Entered: 02/25/2008)
02/25/2008	<u>90</u>	Transmission Of Notice Of Appeal To BAP (RE: related document(s) <u>89</u> Notice of Appeal, ). (cog, ) (Entered: 02/25/2008)
02/25/2008	<u>91</u>	Order Denying Application to Employ Real Estate Broker (Related Doc # <u>58</u> ) (cog, ) (Entered: 02/26/2008)
02/26/2008	<u>92</u>	Order Granting Application to Employ Attorney Michael C. Fallon for Trustee Janina M. Elder Added to the Case (Related Doc # <u>84</u> ) (cog, ) (Entered: 02/27/2008)



02/27/2008		Hearing held and continued. (RE: related document(s) <u>12</u> Motion for Relief from Stay [ <i>Secured Creditor First Horizon Home Loan's Motion for Relief from the Automatic Stay</i> ] Fee Amount \$150.). Hearing to be held on 3/20/2008 at 10:00 AM San Francisco Courtroom 22 - Montali for <u>12</u> , (lp, ) (Entered: 02/27/2008)
02/27/2008		<b>**ERROR**</b> Wrong event code. Under the category "Appeal" use "Appellant Designation" (RE: related document(s) <u>87</u> Document). (cog, ) (Entered: 02/27/2008)
02/27/2008	<u>93</u>	Statement of Election to Proceed in United States District Court (RE: related document(s) <u>89</u> Notice of Appeal, ). Filed by Debtor Sandra DeOcampo (Kun, Albert) (Entered: 02/27/2008)
02/28/2008		Courtroom Hearing Continued (RE: Motion for Relief From Stay - related document(s) <u>65</u> ) (Continued to 3/13/2008 09:30 AM at San Francisco Courtroom 22 - Montali) (Judge Montali gave shorten time for hearing.)(gh, ) (Entered: 02/28/2008)
02/28/2008	<u>94</u>	Certificate of Service (RE: related document(s) <u>65</u> Motion for Relief From Stay, ). (Malcolm, William) (Entered: 02/28/2008)
02/28/2008		<b>**ERROR**</b> Wrong event code. Event codes for appeals can be found under "Bankruptcy" -> "Appeal"(RE: related document(s) <u>93</u> Statement). (cog, ) (Entered: 02/28/2008)
02/28/2008	<u>95</u>	BNC Certificate of Mailing (RE: related document(s) <u>91</u> Order on Application to Employ). Service Date 02/28/2008. (Admin.) (Entered: 02/28/2008)
02/29/2008	<u>96</u>	BNC Certificate of Mailing (RE: related document(s) <u>92</u> Order on Application to Employ). Service Date 02/29/2008. (Admin.) (Entered: 02/29/2008)
03/03/2008	<u>97</u>	Transcript Re: Appeal 1. U.S. Trustee's Motion to Appoint Chapter 11 Trustee; 2. Preliminary Hearing - First Horizon (RE: related document(s) <u>89</u> Notice of Appeal, ). (McCall, Jo) (Entered: 03/03/2008)
03/05/2008	<u>98</u>	Certificate Of Record (RE: related document(s) <u>89</u> Notice of Appeal, ). (cog, ) (Entered: 03/05/2008)
03/05/2008	<u>99</u>	Transmittal of Record on Appeal to BAP (RE: related document(s) <u>89</u> Notice of Appeal, ). (cog, ) (Entered: 03/05/2008)
03/06/2008	<u>100</u>	Statement of Election to District Court, <i>Statement of Election to Have Bankruptcy Appeal Heard by United States District Court</i> . (RE: related document(s) <u>89</u> Notice of Appeal, filed by Debtor Sandra DeOcampo). Filed by U.S. Trustee Office of the U.S. Trustee / SF (Glosson, Julie) (Entered: 03/06/2008)
03/06/2008	<u>101</u>	Appellee Designation of Contents for Inclusion in Record of Appeal (RE: related document(s) <u>89</u> Notice of Appeal, filed by Debtor Sandra DeOcampo). Filed by U.S. Trustee Office of the U.S. Trustee / SF (Glosson, Julie) (Entered: 03/06/2008)

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